

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Fangming KONG, Guy Thomas CARTER and Scott William LUCKMAN

Application No.: 10/618,520 Group Art No.: 1625
Filed: July 11, 2003 Examiner: Celia C. Chang
For: Antibiotics AW998A, AW998B, AW998C and AW998D
Confirmation No.: 6583
Customer Number: 25291

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION

SCOTT WILLIAM LUCKMAN, residing at 289 Conklintown Road, Ringwood, New Jersey, 07456, being duly sworn, deposes and says;

THAT he is a microbiologist having received the degree of B.S. in Biology in 1994 from Rutgers College, New Brunswick, New Jersey and a M.S. in Bacteriology from Wagner College, Staten Island, New York in 1998 ;

THAT he is employed as a Research Scientist I in the Natural Products Microbiology Discovery Section at Wyeth, Pearl River, New York 10965, since 1995;

THAT he is one of the inventors of the above-identified application for United States Letters Patent, which he has read and is familiar with together with the Office Action thereto, dated December 8, 2004 and is familiar with the reference cited by the Examiner, Fangming Kong and Guy T. Carter, The Journal of Antibiotics, vol. 56, No. 6, June 2003, (557-564);

THAT he makes this declaration in support of the coinventorship of the above-identified application for United States Letters Patent;

THAT in the Office Action of December 8, 2004 the Examiner has rejected claims 1-8 under 35 U.S.C. 102(f) as being anticipated by Fangming Kong and Guy T. Carter, The Journal of Antibiotics, vol. 56, No. 6, June 2003, (557-564).

THAT he declares that he is a true coinventor of the above described patent application as he conceived and reduced to practice the process to prepare antibiotics AW998A, AW998B, AW998C and AW998D by fermentation.

I, Scott William Luckman declare that I am a true coinventor of the above described patent application.

DECLARATION

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Further declarant saith not.

SIGNATURE(S)

Full name of JOINT INVENTOR: Scott William Luckman

Inventor's Signature Scott Date JUNE-08-2005

Country of Citizenship: **United States of America**

Residence : **289 Conklintown Road, Ringwood, New Jersey 07456**

Post Office Address: **Same as Residence**